

City of Capitola

Planning Commission Meeting Minutes

Thursday, August 15, 2024 – 6:00 PM



City Council Chambers
420 Capitola Avenue, Capitola, CA 95010

Chairperson: Courtney Christiansen

Commissioners: Paul Estey, Gerry Jensen, Susan Westman, Peter Wilk

All correspondence received prior to 5:00 p.m. on the Wednesday preceding a Planning Commission Meeting will be distributed to Commissioners to review prior to the meeting. Information submitted after 5 p.m. on that Wednesday may not have time to reach Commissioners, nor be read by them prior to consideration of an item.

1. Roll Call and Pledge of Allegiance

Commissioners Courtney Christiansen, Paul Estey, Gerry Jensen, Susan Westman, Peter Wilk

The meeting was called to order at 6:01 PM. In attendance, Commissioners Estey, Westman, Wilk, Vice Chair Jensen, and Chair Christiansen.

2. Additions and Deletions to the Agenda

A. Additional Materials Item 5A - correspondence received

The Clerk announced the additional materials for tonight's agenda.

3. Oral Communications

Please review the section How to Provide Comments to the Planning Commission for instructions. Oral Communications allows time for members of the public to address the Planning Commission on any Consent Item on tonight's agenda or on any topic within the jurisdiction of the City that is not on the Public Hearing section of the Agenda. Members of the public may speak for up to three minutes unless otherwise specified by the Chair. Individuals may not speak more than once during Oral Communications. All speakers must address the entire legislative body and will not be permitted to engage in dialogue.

None.

4. Planning Commission/Staff Comments

Director Herlihy reminded the commissioners and the audience to speak clearly into the mic, and that the meeting footage will be available on the City's website and YouTube channel after the meeting.

5. Public Hearings

Public Hearings are intended to provide an opportunity for public discussion of each item listed as a Public Hearing. The following procedure is as follows: 1) Staff Presentation; 2) Planning Commission Questions; 3) Public Comment; 4) Planning Commission Deliberation; and 5) Decision.

A. Citywide Zoning Code Update

Project Description: Application #24-0026 for Amendments to Capitola Municipal Code Title 17: Zoning and Zoning Map. The proposed Zoning Code amendments will impact the development standards and regulations for properties citywide. The proposed Zoning Map amendments will alter the Residential Multifamily (RM) Zoning District. The Zoning Code and Zoning Map are part of the City's Local Coastal Program (LCP), and amendments require

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certification by the California Coastal Commission before taking effect in the Coastal Zone.

Recommended Action: Staff recommends the Planning Commission (1) provide feedback to staff on discussion items outlined in the staff report related to the draft Zoning Code amendments and draft Zoning Map Amendments; and (2) continue the discussion on the Zoning Code and Zoning Map amendments to the August 27, 2024, Special Planning Commission hearing.

Directory Herlihy introduced tonight's topic of discussion, and Consultant Ben Noble presented the staff report. During the presentation, there were questions from the Commission and a discussion with Staff regarding the RM sites identified in the Housing Element and why these particular sites were chosen.

Vice Chair Jensen asked Director Herlihy to recap how the City arrived at a mandated Housing Element RHNA number of 1336 units. She provided a history of this mandate from the HCD for this Housing Element cycle. He then asked what would happen if the City did not comply with that number - Director Herlihy explained that the City would be ineligible for several grant funding opportunities, lose local control over development, and open the City up to potential lawsuits. Commissioner Estey asked Director Herlihy to explain how Builders Remedy may affect the City. Vice Chair Jensen asked about case studies related to Housing Element non-compliance in near by jurisdictions such as Portola Valley. Finally, there was an explanation of the noticing process for tonight's meeting and what sort of considerations were taken when selecting sites.

Chair Christiansen opened the Public Comment section of the Public Hearing. Speakers:

- Kieth Cahalen
- Charles Thomas
- Dan Benvenuti
- Sheryl Pinard
- Samantha Farren
- Julia Madrona
- Mary Margulies
- Mike Margulies
- Eric Faucett
- Oliver Mainka
- Brenda Torres
- George Dunlap
- Linda Barnes
- Robin P.
- Jennifer Collins
- Heather Cary
- Tessa Tuttman
- Ari L.
- Dave Tucci

Chair Christiansen closed the Public Comment.

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The Commission and Directory Herlihy then responded to many of the questions and concerns brought to attention during the Public Comment. Commissioner Wilk started the discussion by offering his perspective on this process and his philosophy of site selection for possible future development to satisfy Housing Element requirements. He helped to construct a way forward by presenting a recommendation to rethink the draft amendments based on the public feedback that was received tonight. Commissioner Westman commented on how much the planning process has changed since she became involved in the planning process in Capitola in the 80's. She spoke about the City's potential for increased density in certain area's, but expressed concern about how this necessary development will impact parking, traffic, employment, public transportation, among other issues. Commissioner Estey discussed the RHNA numbers, and advised against fighting back against the mandated increase in 1336 housing units, providing examples of other cities that have tried and failed, as well as examples of certain projects that may not be possible if the City lost state funding opportunities. He urged the City consider the long-term affects that the housing affordability crisis could have on a community with the characteristics of Capitola. Commissioner Westman then explained why there are certain properties that are not in compliance with the zoning code and agreed with the need to up-zone them. Vice Chair Jensen recommended that staff provide a history of the development of these properties when the time comes to rezone them.

Director Herlihy summarized the direction from the Commission as follows: rethink the increase in certain RM zones, increase the timeline to allow for more public feedback, and bring back an alternative amendment proposal in early 2025.

The Commission then provided additional direction to staff as far as what considerations to include when the draft zoning code and map amendments is brought back to the Commission.

Consultant Ben Noble then continued his presentation of the remaining amendment topics of tonight's public hearing item - housing on religious sites, alternative housing types, retail cannabis establishments, and office uses in C-R zone.

Chair Christiansen opened the Public Comment for the remaining topics of the Public Hearing. Speakers:

- Janine Roeth

Chair Christiansen closed the Public Comment and asked the Director and Consultant clarifying questions.

The Director summarized the recommendations from the Commission and laid out a general schedule of future meetings.

6. Director's Report

None.

7. Adjournment – The next regularly scheduled meeting of the Planning Commission is on September 5, 2024 at 6:00 PM.

The meeting was adjourned at 8:46 PM.

Signed by:

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